



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>


1183437 - R8 SDMS

Ref: ENF-L

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 26, 2011

Van Gilder Insurance Corporation
1515 Wynkoop Street, Suite 200
Denver, Colorado 80202-1730

Re: Request for Information dated November 19, 2010
Gilt Edge Mine Site/Nelson Tunnel/Commodore Waste Rock Pile Site

Dear Sir or Madam:

On November 19, 2010, the United States Environmental Protection Agency (EPA) sent you a letter requesting information (Information Request Letter) regarding your connection to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and CoCa Mines Inc., former owners and/or operators of the Gilt Edge Mine Superfund Site located in Lawrence County, South Dakota and/or the Nelson Tunnel/Commodore Waste Rock Pile Superfund Site. The return receipt indicates that you received this Information Request Letter on November 22, 2010. Your response to the Information Request Letter was due on or before December 22, 2010. At the request of Valerie Howard of your office, EPA agreed to extend the due date to January 6, 2011. To date, EPA has not received any such response.

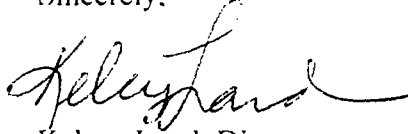
Your compliance with the Information Request Letter is required by law. Section 104 of Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties of up to \$37,500 per day for failure to timely respond. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001.

I have enclosed a copy of the Information Request Letter and request an immediate response. Your response should be mailed to:

Sharon Abendschan, Enforcement Specialist
U.S. EPA Region 8, 8ENF-RC
1595 Wynkoop Street
Denver, Colorado 80202-1129

If you refuse to comply, EPA will consider taking enforcement action that may include the imposition of civil penalties of up to \$37,500 per day for each day of non-compliance. If you have any questions, please contact Andrea Madigan, EPA Enforcement Attorney, at (303) 312-6904. Please give this matter your immediate attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelcey Land".

Kelcey Land, Director
Technical Enforcement Program.
Office of Enforcement, Compliance,
And Environmental Justice

A handwritten signature in black ink, appearing to read "Matthew Cohn".

Matthew Cohn, Supervisory Attorney
Legal Enforcement Program.
Office of Enforcement, Compliance,
And Environmental Justice

Enclosure

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Van Gilder Insurance Corporation
 1515 Wynkoop Street, Suite 200
 Denver, Colorado 80202-1730

PS Form 3800, August 2005 See Reverse for Instructions

7009 3410 0000 2592 8130

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <i>X [Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: Van Gilder Insurance Corporation 1515 Wynkoop Street, Suite 200 Denver, Colorado 80202-1730</p>		<p>B. Received by (Printed Name) <i>Eric Huber</i> C. Date of Delivery <i>1/27/11</i></p>	
<p>2. Article Number (Transfer from service label) <i>7009 3410 0000 2592 8130</i></p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, February 2004

Domestic Return Receipt

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